

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY  
THURSDAY, MARCH 1, 2007

Senate Chamber

President Risch called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Coiner, absent and formally excused by the Chair; and Senators Cameron, Gannon, Malapeai, and Stegner, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Logan Smyser, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

Senator Malapeai was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 28, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

Senator Cameron was recorded present at this order of business.

### SJM 107

#### BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF ENERGY, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, it is in the best interests of Idaho individually and the United States as a whole to embrace an energy policy that encompasses a diverse array of sources so as to avoid economic dislocations associated with undue reliance on any single domestic or foreign energy source, while also accommodating carbon management concerns; and

WHEREAS, it is the formal policy of the United States of America, as delineated in the Energy Policy Act of 2005, to include nuclear power in the nation's diverse energy portfolio; and

WHEREAS, much of the developing world has already begun an ambitious effort to expand the use of noncarbon emitting nuclear power to supply its rapidly escalating demand for reliable baseload electricity; and

WHEREAS, the President of the United States and the United States Department of Energy (DOE) have determined that this country's national interests are best served by creating an orderly international framework and technology basis to guide the accelerating global expansion of nuclear energy; and

WHEREAS, this new framework is embodied in the Global Nuclear Energy Partnership (GNEP), which seeks to establish an international approach to extend the benefits of abundant nuclear-generated electricity to both the developed and developing worlds, get the most energy possible from one of nature's most energy-dense power sources, create a final waste form requiring management attention for a more limited amount of time, and greatly decrease the potential for misuse of used nuclear fuel; and

WHEREAS, the United States DOE has asked communities and states to help identify possible sites wherein the enabling technologies behind the full realization of GNEP can be thoroughly examined and proven; and

WHEREAS, community leaders in eastern Idaho have come together to identify sites in response to the DOE's request for help, realizing no other state in the nation has the proud nuclear legacy of Idaho, where usable electricity from the atom was first generated, breeder technology was first proven, lifesaving medical and industrial isotopes can and have been produced and fifty-two remarkable nuclear reactors were designed and built; and

WHEREAS, the long-standing partnership between Idaho and the federal government has resulted in countless improvements in the design and safety performance of both commercial and military nuclear power systems, as well as the cost-effective and DOE-complex leading performance of environmental cleanup activities as prescribed by a detailed, yet accommodative 1995 agreement that ensures our state's environment is protected now and would continue to be protected with any future projects.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that Idaho supports the goals of the Global Nuclear Energy Partnership and encourages this administration, the United States Congress and the Department of Energy to commit and provide the funding necessary to complete the Global Nuclear Energy Partnership initiative which is critical to the long-term well-being of the United States and to concur that Idaho is the most suitable and preferred site for the Global Nuclear Energy Partnership and other advanced nuclear and energy security research.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of the United States Department of Energy, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**SJM 107** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

February 28, 2007

The JUDICIARY AND RULES Committee reports that **S 1032** and **S 1066** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1032** and **S 1066**, and ordered them transmitted to the House for the signature of the Speaker.

February 28, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **S 1051** and **S 1062** were delivered to the Office of the Governor at 1:45 p.m., February 28, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 28, 2007

The FINANCE Committee reports out **H 221** with the recommendation that it do pass.

CAMERON, Chairman

**H 221** was filed for second reading.

February 28, 2007

The STATE AFFAIRS Committee reports out **S 1157** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

McKENZIE, Chairman

There being no objection, **S 1157** was referred to the Fourteenth Order of Business, General Calendar.

February 28, 2007

The EDUCATION Committee reports out **S 1141** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

Senator Schroeder requested unanimous consent that **S 1141** be laid upon the table.

Senator Cameron objected.

There being no objection, **S 1141** was referred to the Fourteenth Order of Business, General Calendar.

February 28, 2007

The RESOURCES AND ENVIRONMENT Committee reports out **S 1136** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1136** was referred to the Fourteenth Order of Business, General Calendar.

February 28, 2007

The RESOURCES AND ENVIRONMENT Committee reports out **H 27** with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

SCHROEDER, Chairman

**H 27** was filed for second reading.

February 28, 2007

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

G. Jerry Russell as Director of the Idaho State Police, term to expire at the pleasure of the Governor.

DARRINGTON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 28, 2007

The JUDICIARY AND RULES Committee reports out **S 1153** with the recommendation that it do pass.

DARRINGTON, Chairman

**S 1153** was filed for second reading.

February 28, 2007

The JUDICIARY AND RULES Committee reports out **S 1159** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1159** was referred to the Fourteenth Order of Business, General Calendar.

March 1, 2007

The HEALTH AND WELFARE Committee reports out **S 1147, S 1170, and S 1175** with the recommendation that they do pass.

LODGE, Chairman

**S 1147, S 1170, and S 1175** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

#### Messages from the Governor

February 28, 2007

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Richard Moore of Lewiston, Idaho, was appointed as a member of the Commission on Pardons and Parole to serve a term commencing February 21, 2007 and expiring January 1, 2010.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

Senator Gannon was recorded present at this order of business.

February 28, 2007

Mr. President:

I transmit herewith **H 183, H 137, H 154, H 168, H 165, H 150, H 200, H 166**, as amended, **H 88, H 89, H 90**, and **H 132** which have passed the House.

JUKER, Chief Clerk

**H 183, H 137, H 154, H 168, H 165, H 150, H 200, H 166**, as amended, **H 88, H 89, H 90**, and **H 132** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **SCR 118** was referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1183

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE OPTIONAL RETIREMENT PROGRAM; AMENDING SECTION 33-107A, IDAHO CODE, TO REVISE INSTITUTIONAL PROGRAM CONTRIBUTION PERCENTAGES, TO REVISE A CALENDAR YEAR DATE AND TO MAKE A TECHNICAL CORRECTION.

##### S 1184

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO WHOLESALE DRUG DISTRIBUTION; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 54-1751, 54-1752, 54-1753, 54-1754, 54-1755, 54-1756, 54-1757, 54-1758 AND 54-1759, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO REQUIRE LICENSURE OF WHOLESALE DRUG DISTRIBUTORS, TO PROVIDE AN EXCEPTION, TO PROVIDE FOR LICENSING REQUIREMENTS, TO PERMIT THE BOARD OF PHARMACY TO ADOPT RULES, TO PROVIDE FOR LIMITATION ON DISCLOSURE OF INFORMATION, TO PROVIDE RESTRICTIONS ON TRANSACTIONS, TO REQUIRE EACH PERSON WHO IS ENGAGED IN WHOLESALE DISTRIBUTION OF PRESCRIPTION DRUGS TO PROVIDE A PEDIGREE, TO PROVIDE EXCEPTIONS, TO REQUIRE VERIFICATION WITH EXCEPTION, TO PROVIDE FOR THE CONTENTS OF A PEDIGREE, TO PROVIDE FOR RECORDKEEPING, TO REQUIRE THE BOARD OF PHARMACY TO TIMELY ADOPT RULES AND A FORM, TO PROVIDE CERTAIN ENFORCEMENT POWERS TO THE BOARD, TO PROVIDE FOR ENFORCEMENT PROCEDURE, TO PROVIDE FOR THE IMPOSITION OF PENALTIES, TO STATE CERTAIN PROHIBITED ACTS WITH EXCEPTIONS AND TO PROVIDE FOR CRIMINAL PENALTIES; AND PROVIDING SEVERABILITY.

##### S 1185

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT; AMENDING SECTION 7-1026, IDAHO CODE, TO REVISE THE INFORMATION REQUIRED TO BE PROVIDED WITH CERTAIN PETITIONS; AND AMENDING

SECTION 7-1044, IDAHO CODE, TO REVISE THE INFORMATION SENT TO THE DISTRICT COURT TO REGISTER CERTAIN ORDERS OF ANOTHER STATE.

**S 1183, S 1184, and S 1185** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 183**, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

**H 137**, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 154**, by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 168 and H 165**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

**H 150**, by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

**H 200**, by Education Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

**H 166**, as amended, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

**H 88, H 89, H 90, and H 132**, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

Senator Stegner was recorded present at this order of business.

**H 156, H 43, H 44, H 58, and H 60**, by Agricultural Affairs Committee, were read the second time at length and filed for third reading, Consent Calendar.

**H 78**, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

**S 1119, S 1130, S 1133, and S 1134**, by Transportation Committee, were read the second time at length and filed for third reading.

**H 141**, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

**H 116**, by Local Government Committee, was read the second time at length and filed for third reading, Consent Calendar.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

**S 1120** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Langhorst, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 31.

NAYS--Keough. Total - 1.

Absent and excused--Burkett, Coiner, Little. Total - 3.

Total - 35.

Whereupon the President declared **S 1120** passed, title was approved, and the bill ordered transmitted to the House.

At this time, the Senate went at ease to allow former Chaplain Pastor Don Hardenbrook, Church of the Brethren, Nampa, to express his gratitude to the Senate for the three years, 2004 - 2006, he served as Senate Chaplain.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

### Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out **S 1139** without amendment and with the recommendation that it be recommitted to the Education Committee; and **S 1126, S 1088, S 1079**, as amended, **S 1152, H 79, S 1128, S 1156, and H 85**, without recommendation, amended as follows:

### SENATE AMENDMENT TO S 1126 AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 2, following "user" insert: "except as provided in section 41-2510, Idaho Code".

**SENATE AMENDMENT TO S 1088**  
AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 24 following "schools" insert: ". Such salary-based apportionment may be used for payment of contracted services or for direct hire of staff"; delete lines 25 and 26 and insert:

"(b) The board of directors may contract for the services of"; and delete lines 31, 32 and 33 and insert: "school; and".

**SENATE AMENDMENT TO H 79**  
AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 21, following "both" insert: ";

(e) The amount of taxable market value added as provided in subsection (3)(g) of this section as a result of dissolution of any revenue allocation area."; and in line 34, following "include the" insert: "taxable market".

On page 2, delete lines 12 through 15 and insert: "that this increment ~~has not been previously included on any new construction rolls, provided however, the increased value during the existence of the revenue allocation area is due to changes identified in subsections (a) through (e) of this subsection exceeds~~ the incremental value as of December 31, 2006, or, for revenue allocation areas formed after December 31, 2006, the entire increment value. Notwithstanding other provisions of this section, the new construction roll shall not include new construction located within an urban renewal district's revenue allocation area, except as provided in this subsection (3)(g)."; in line 21, following "inflation" insert: ", except as provided in subsection (3)(g) of this section"; and delete lines 22 through 24.

**CORRECTION TO TITLE**

On page 1, delete lines 3 through 6 and insert: "63-301A, IDAHO CODE, TO REVISE INFORMATION TO BE INCLUDED IN THE NEW CONSTRUCTION ROLL, TO REVISE ITEMS ON THE NEW CONSTRUCTION ROLL FOR WHICH THE TAXABLE MARKET VALUE INCREASE MAY BE SHOWN AND TO PROVIDE AN EXCEPTION TO THE AMOUNT OF TAXABLE MARKET VALUE FOR NEW CONSTRUCTION THAT IS NOT A CHANGE IN VALUE OF EXISTING PROPERTY THAT IS DUE TO EXTERNAL MARKET FORCES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE".

**SENATE AMENDMENT TO S 1128**  
AMENDMENTS TO SECTION 1

On page 3 of the printed bill, in line 27 delete "Idaho" and insert: "Idaho, wild or domestic, including domestic cervidae governed under the provisions of chapter 37, title 25, Idaho Code."; and in line 28, following "accessed" insert: "and controlled".

**CORRECTION TO TITLE**

On page 1, in line 3, following "ACCESSED" insert: "AND CONTROLLED".

**SENATE AMENDMENT TO S 1079, As Amended**  
AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 34, delete "For the purposes of this section" and insert: "For a child enrolling in prekindergarten"; and in line 38, delete "For the purposes of this section" and insert: "For the purposes of this section a child enrolling in kindergarten".

**CORRECTION TO TITLE**

On page 1, in line 3, following "ATTAINED" insert: ", TO PROVIDE CLARIFYING LANGUAGE".

**SENATE AMENDMENT TO S 1152**  
AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 18, following "(30)" insert: "business"; in line 27, following "of a" insert: "denial or a"; in line 28, following "compensation" insert: "if the claim was denied for a dealer's incidental failure as set forth in subsection (2) of this section"; delete lines 30 through 33 and insert:

"(4) A motor vehicle dealer has ninety (90) days after the expiration of a manufacturer or distributor incentive program, or such longer time as provided by the franchise agreement, whichever is greater, to submit a claim for payment or compensation under the program."; in line 36, delete "transaction" and insert: "payment"; and in line 37, delete "sale or service" and insert: "claim".

On page 2, delete lines 3 through 11 and insert:

"(6) A manufacturer or distributor may make charge-backs to a motor vehicle dealer if, after completion of an audit of the dealer's records, the manufacturer or distributor can show, by a preponderance of the evidence, that:

(a) With respect to a claim under a service incentive program, the repair work was improperly performed in a substandard manner or was unnecessary; or

(b) The claim is unsubstantiated in accordance with the manufacturer's or distributor's reasonable requirements.

(7) Notwithstanding subsections (5) and (6) of this section, a manufacturer or distributor may make charge-backs to a motor vehicle dealer for fraud at any time permitted by section 5-218, Idaho Code."

**SENATE AMENDMENT TO S 1156**  
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 11 through 43 and delete pages 2 and 3 and insert:

"SECTION 1. That Chapter 47, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-4727, Idaho Code, and to read as follows:

67-4727. FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND. (1) There is hereby created in the state treasury a fund to be known as the film and television production business rebate fund to which shall be credited all moneys that may be appropriated, apportioned, allocated and paid back to that fund. Moneys in this fund shall be used exclusively as provided in this section and may be appropriated for such purposes as authorized by this section. Moneys in the fund shall be invested by the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with respect to other idle moneys in the state treasury. Interest earned on the investments shall be credited to the fund. The purpose of the fund is to stimulate new film and television production business expenditures in the state of Idaho. Applicants may apply for a rebate from the fund by filling out an application and satisfying the department's criteria for a state certified production prior to commencing work on the production. The director of the department of commerce and labor may promulgate administrative rules in compliance with chapter 52, title 67, Idaho Code, to implement the provisions of this section.

(2) The rebate from the fund is available for qualified productions in Idaho. As used in this section, a "qualified production" is a feature film, a television film, a commercial for a product or service, a documentary, a television pilot or each episode of a television series which is intended as programming for a national audience. A qualified production does not include a

production featuring any of the following: news, current events, weather and market reports, public access programming, reality shows, infomercials, talk shows, game shows, sports shows and events, award shows or other gala events; a production that solicits funds, a production containing any material of an indecent or obscene nature as provided in chapter 41, title 18, Idaho Code, or a production primarily for private, political, industrial, corporate or institutional purposes.

As used in this section, "base investment" shall mean the actual investment made and expended by a state certified production in Idaho as production expenditures incurred in Idaho that are directly used in a state certified production or productions. The rebate shall be calculated as a percentage of the total base investment dollars certified per project. The rebate shall be earned by investors at the time expenditures are made by a television or motion picture production company in a state certified production. As used in this section, "applicant" means a person or entity that is a film production business that is operating an accredited production and that: (a) owns the copyright in an accredited production throughout the production period; or (b) has contracted directly with the person acting on behalf of the owner to provide services for the production, where the owner of the copyright is not an eligible production company.

(3) To qualify for the rebate from the fund, twenty percent (20%) of the crew working in Idaho must be Idaho residents who possess a valid Idaho driver's license or identification card. Production expenses that are eligible for rebate include all production goods and services including, but not limited to, wages and salaries, construction, operations, editing, photography, sound synchronization, lighting, makeup, wardrobe and accessories, the cost of rental facilities and equipment, leasing of vehicles, costs of food and lodging, digital or tape editing, film processing, sound mixing, special and visual effects, total aggregate payroll or music, if performed, composed or recorded by a musician who is a resident of Idaho. Marketing and advertising costs shall not be applied toward the rebate, nor can star salaries, producer and director salaries or script costs, nor can any indirect costs, any amounts that are later reimbursed, any costs related to the transfer of rebates or any amounts that are paid to persons or entities as a result of their participation in profits from the production.

(4) The total incentive shall be capped at one million dollars (\$1,000,000). The total amount of any incentive granted pursuant to this section may not exceed five hundred thousand dollars (\$500,000) nor twenty percent (20%) of an individual qualified production's expenses.

(5) Any moneys awarded by the fund shall be awarded pursuant to a written agreement between the applicant and the department. The director shall impose a penalty upon a recipient for a violation of the agreement but may waive the penalty if the department determines that the violation was due to circumstances outside the control of the recipient. The amount of the penalty shall be equal to the full amount of the business incentive received pursuant to this section plus up to ten percent (10%) of the amount of the business incentive received. Penalties and interest may be added by the director. All moneys received shall be deposited in the fund.

(6) The department shall evaluate the economic impact of the rebate program created pursuant to this section. The evaluation shall include an assessment of the effectiveness of the program in creating and retaining new jobs in Idaho and of the revenue impact of the program, and may include a review of the practices and experiences of other states or nations with similar programs. Upon

completion of this evaluation, the department shall determine the overall success of the program and may make a recommendation to extend, modify or not extend the program based on this evaluation. The department shall submit to the legislature during the 2010 regular legislative session a report that includes the following information:

(a) The economic impact of the rebate program, including the number of jobs created and retained, including whether the job positions are entry level, management, talent related, vendor related or production related;

(b) The amount of film production spending brought to Idaho including the amount of spending and type of Idaho vendors hired in connection with an accredited production;

(c) Identification of each vendor that provided goods or services that were included in an accredited production's Idaho spending;

(d) The amount paid to each identified vendor by the accredited production; and

(e) For each identified vendor, a statement as to whether the vendor is a minority owned business or a female owned business or owned by someone with a disability.

SECTION 2. This act shall be null, void and of no force and effect on and after July 1, 2010, and any unused and unexpended funds in the Film and Television Production Business Rebate Fund on the sunset date shall revert to the general fund."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 9 and insert:

"RELATING TO A FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND; AMENDING CHAPTER 47, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4727, IDAHO CODE, TO CREATE IN THE STATE TREASURY THE FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND, TO DEFINE "QUALIFIED PRODUCTION," "BASE INVESTMENT" AND "APPLICANT," TO PROVIDE QUALIFICATION FOR THE REBATE, TO PROVIDE THE AMOUNT OF THE TOTAL INCENTIVE, TO PROVIDE PROCEDURES, TO PROVIDE FOR EVALUATION OF THE ECONOMIC IMPACT OF THE REBATE PROGRAM AND TO PROVIDE FOR A REPORT; AND PROVIDING A SUNSET DATE AND REMITTANCE OF FUNDS ON THE SUNSET DATE."

#### SENATE AMENDMENT TO H 85

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 9 through 12 and insert:

"43-1510. TAX EXEMPTIONS. The following irrigation district property and the revenue therefrom shall be exempt from taxation: (1) water rights for the irrigation of lands; (2) irrigation structures described in section 63-602N(2), Idaho Code; (3) all operating property described in section 63-602N(3), Idaho Code; and (4) all parks and recreational facilities owned or maintained by an irrigation district pursuant to this title."

The Committee also has **H 81**, **H 130**, and **H 56** under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Langhorst, the report was adopted by voice vote.

**S 1126**, as amended, **S 1088**, as amended, **S 1128**, as amended, **S 1079**, as amended, as amended, **S 1152**, as amended, and **S 1156**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

**H 79**, as amended in the Senate, and **H 85**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

**S 1139** was recommitted to the Education Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

### Third Reading of Bills

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:40 a.m. until the hour of 3:30 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senator Coiner, absent and formally excused by the Chair; President Pro Tempore Geddes, and Senators Andreason, Burkett, Cameron, Darrington, Keough, and Langhorst, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

Senators Andreason, Burkett, Cameron, Darrington, Keough, and Langhorst were recorded present at this order of business.

**S 1094** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Gannon, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 29.

NAYS--Fulcher, McKague, McKenzie, Pearce. Total - 4.

Absent and excused--Coiner, Geddes. Total - 2.

Total - 35.

Whereupon the President declared **S 1094** passed, title was approved, and the bill ordered transmitted to the House.

**S 1144** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Geddes, Pearce. Total - 3.

Total - 35.

Whereupon the President declared **S 1144** passed, title was approved, and the bill ordered transmitted to the House.

**S 1093** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Coiner, Geddes. Total - 2.

Total - 35.

Whereupon the President declared **S 1093** passed, title was approved, and the bill ordered transmitted to the House.

**S 1109** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Coiner, Geddes. Total - 2.

Total - 35.

Whereupon the President declared **S 1109** passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Geddes was recorded present at this order of business.

**S 1155** was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Kelly and Jorgenson arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1155** passed, title was approved, and the bill ordered transmitted to the House.

The President called Senator Cameron to the Chair.

**S 1151** was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Lodge and Jorgenson arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1151** passed, title was approved, and the bill ordered transmitted to the House.

**S 1160** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly,

Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1160** passed, title was approved, and the bill ordered transmitted to the House.

**S 1135** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bastian, Bilyeu, Broadsword, Burkett, Corder, Davis, Gannon, Geddes, Goedde, Hammond, Heinrich, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, Stegner, Stennett, Werk. Total - 22.

NAYS--Bair, Cameron, Darrington, Fulcher, Hill, Jorgenson, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway. Total - 12.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1135** passed, title was approved, and the bill ordered transmitted to the House.

**S 1118** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1118** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stegner, granted by unanimous consent, **S 1107** retained its place on the Third Reading Calendar for one legislative day.



**S 1167** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1167** passed, title was approved, and the bill ordered transmitted to the House.

**S 1168** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1168** passed, title was approved, and the bill ordered transmitted to the House.

The President returned to the Chair.

**S 1107**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner. Total - 26.

NAYS--Broadsword, Kelly, Keough, Langhorst, Malepeai, Werk. Total - 6.

Absent and excused--Burkett, Coiner, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **S 1107** passed, title was approved, and the bill ordered transmitted to the House.

**S 1053** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1053** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Langhorst, granted by unanimous consent, **S 1095** retained its place on the Third Reading Calendar for one legislative day.

**S 1142** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1142** passed, title was approved, and the bill ordered transmitted to the House.

**S 1149** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1149** passed, title was approved, and the bill ordered transmitted to the House.

**S 1164** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--Keough. Total - 1.

Absent and excused--Burkett, Coiner. Total - 2.

Total - 35.

Whereupon the President declared **S 1164** passed, title was approved, and the bill ordered transmitted to the House.

**S 1121** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1121** passed, title was approved, and the bill ordered transmitted to the House.

**H 54**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stennett, Werk. Total - 32.

NAYS--Stegner. Total - 1.

Absent and excused--Burkett, Coiner. Total - 2.

Total - 35.

Whereupon the President declared **H 54**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 61** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **H 61** passed, title was approved, and the bill ordered returned to the House.

**H 76** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **H 76** passed, title was approved, and the bill ordered returned to the House.

**H 26** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Langhorst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **H 26** passed, title was approved, and the bill ordered returned to the House.

**S 1171** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bastian, Bilyeu, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hammond, Heinrich, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Stennett, Werk. Total - 28.

NAYS--Bair, Geddes, Hill, Siddoway, Stegner. Total - 5.

Absent and excused--Burkett, Coiner. Total - 2.

Total - 35.

Whereupon the President declared **S 1171** passed, title was approved, and the bill ordered transmitted to the House.

**H 106** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **H 106** passed, title was approved, and the bill ordered returned to the House.

**S 1176** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1176** passed, title was approved, and the bill ordered transmitted to the House.

**S 1177** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **S 1177** passed, title was approved, and the bill ordered transmitted to the House.

**H 32**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **H 32**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Langhorst, granted by unanimous consent, **H 20**, as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

**H 71**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Langhorst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President declared **H 71**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

The President called President Pro Tempore Geddes to the Chair.

**S 1030**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Coiner. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1030**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 6 p.m. until the hour of 9:30 a.m., Friday, March 2, 2007.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary